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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/17/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

2

# Office Action Summary

Application No.

09/692,365

Applicant(s)

KIRBY ET AL.

Examiner

Ashok B. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. Application Number 09/692, 365 was filed on 10/19/2000. Claims 1-27 are subject to examination.

#### ***Specification***

2. The disclosure is objected to because of the following informalities: Related arts are lacking their corresponding serial numbers. See pages 1 and 2. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-10, 15-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Pelissier et al. (hereinafter Pelissier)(US 6, 496, 503).

#### **Referring to claim 1,**

The reference Pelissier teaches a method in a network computing system for managing configuration information for a set of components in a network computing system, the method comprising: storing the configuration information for the set of components in the network computing system to form stored configuration information; responsive to a power cycle, obtaining current configuration information from the set of components;

(col. 4, lines 23-44), comparing the current configuration information with the stored configuration information to form a comparison; updating the stored configuration information if a difference is present in the comparison. (Fig. 4, col. 8, lines 46-67 and col. 9, lines 1-58).

**Referring to claim 2,**

The reference teaches the network 100 of Fig. 1 wherein the network computing system is a system area network. (Fig. 1, col.3, lines 55-60).

**Referring to claim 3,**

The reference teaches Central Network Manager (subnet manager) could be provided as a separate device that is connected to one or more switches, could be included in a switch or could be a software application that runs on one of the computers or end stations. (col. 4, lines 30-34). (storing the configuration information at a node in the network computing system where the subnet manager resides.)

**Referring to claim 4,**

The reference teaches a management cell can be used to query or update data objects in a targeted device. A data object is a group or collection of data in the device which may be accessed as a unit, such as a forwarding database or a MAC address for the device. (col.8, lines 55-61). Thereby, it teaches storing configuration information associated with a component along with the component.

**Referring to claim 5,**

The reference teaches Fig. 1 is a block diagram illustrating a network according to an embodiment of the present invention. Network 100 may be a system area network

(SAN), local area network (LAN), or other data network or packet switched network. Network 100 includes several end stations including computers 102 and 104, a server 106 and an input/output (I/O) device 108, which may be a hard disk drive, a tape drive, a CD ROM, etc. The end stations provided in the network 100 can be a wide variety of computers, servers, I/O devices or other devices. Fig. 1, col. 3, lines 58-65). The reference also teaches Central Network Manager (subnet manager) could be provided as a separate device that is connected to one or more switches, could be included in a switch or could be a software application that runs on one of the computers or end stations. (col. 4, lines 30-34). Thereby, the reference teaches the stored configuration information is stored in one of a non-volatile random access memory, a hard disk drive, and an optical disk.

**Referring to claims 6 and 7,**

The reference teaches the system with the set of components are a set of nodes and the set of components are a set of devices within nodes. (Fig. 1, col. 3, lines 58-67).

**Referring to claim 8,**

In addition to the above, the reference Pelissier teaches the central network manager to route management cells to **specific devices** in an unconfigured or partially configured network using explicit routing to initialize or configure each device. After the devices in the network have been configured or initialized, subsequent cells can be routed through the **newly** configured devices using the more efficient destination address routing technique because each device now has a forwarding database. Thus, the present invention allows the appropriate routing technique to be selected based on the particular

situation. (col. 2, lines 66-67 and col. 3, lines 1-8) (a method in a network computing system for managing configuration information in the network computing system, the method comprising: discovering a component at a location on the network computing system; determining whether the component was previously in the location; configuring the component using previously stored configuration information for the component if the component was previously in the location; and configuring the component without the previously stored configuration information.)

**Referring to claims 9 and 10,**

In addition to the above, the reference Pelissier teaches the central network manager to route management cells to **specific devices** in an unconfigured or partially configured network using explicit routing to initialize or configure each device. After the devices in the network have been configured or initialized, subsequent cells can be routed through the **newly** configured devices using the more efficient destination address routing technique because each device now has a forwarding database. Thus, the present invention allows the appropriate routing technique to be selected based on the particular situation. (col. 2, lines 66-67 and col. 3, lines 1-8) (A method in a network computing system for managing configuration information the network computing system, the method comprising: discovering a component at a location on the network computing system; determining whether stored configuration information is present at the component). The reference also teaches querying and updating the configuration as shown and described in Fig. 4, col. 8, lines 46-67 and col. 9, lines 1-58. (responsive to the stored configuration information being present at the component, reading the stored

configuration information; configuring the stored configuration information; determining whether changes to a configuration of the component are present; and responsive to changes being present, updating the changes to the stored configuration information in the component, and correcting for conflicts in the configuration of the component using the stored configuration information to form changed configuration information; saving the changed configuration information at the component.)

**Referring to claim 15,**

Claim 15 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 1. Therefore, claim 15 is rejected for the reasons set forth for the claim 1.

**Referring to claim 16,**

Claim 16 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 2. Therefore, claim 16 is rejected for the reasons set forth for the claim 2.

**Referring to claim 17,**

Claim 17 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 3. Therefore, claim 17 is rejected for the reasons set forth for the claim 3.

**Referring to claim 18,**

Claim 18 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 4. Therefore, claim 18 is rejected for the reasons set forth for the claim 4.

**Referring to claim 19,**

Claim 19 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 5. Therefore, claim 19 is rejected for the reasons set forth for the claim 5.

**Referring to claims 20 and 21,**

Claims 20 and 21 are claims to a network computing system for managing configuration information in accordance with the method steps of claims 6 and 7. Therefore, claims 20 and 21 are rejected for the reasons set forth for the claims 6 and 7.

**Referring to claim 22,**

Claim 22 is a claim to a network computing system for managing configuration information in accordance with the method steps of claim 8. Therefore, claim 22 is rejected for the reasons set forth for the claim 8.

**Referring to claim 23 and 24,**

Claims 23 and 24 are claims to a network computing system for managing configuration information in accordance with the method steps of claims 9 and 10. Therefore, claims 23 and 24 are rejected for the reasons set forth for the claims 9 and 10.

**Referring to claim 25,**

Claim 25 is a claim to a computer program product in a computer readable medium for use in a network computing system for managing configuration information for a set of components in a network computing system which performs the steps of the method of claim 1. Therefore, claim 25 is rejected for the reasons set forth in claim 1.

**Referring to claim 26,**



Claim 26 is a claim to a computer program product in a computer readable medium for use in a network computing system for managing configuration information for a set of components in a network computing system which performs the steps of the method of claim 8. Therefore, claim 26 is rejected for the reasons set forth in claim 8.

**Referring to claim 27,**

Claim 27 is a claim to a computer program product in a computer readable medium for use in a network computing system for managing configuration information for a set of components in a network computing system which performs the steps of the method of claim 9. Therefore, claim 27 is rejected for the reasons set forth in claim 9.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al. (hereinafter Shah) (US 6,694, 361) in view of Pelissier et al. (hereinafter Pelissier)(US 6, 496, 503).

**Referring to claim 11,**

The reference Shah teaches a bus system; a channel adapter unit connected to a system area network fabric; a memory connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system (Fig. 4). The reference fails to explicitly teach the processing unit executes the set of instructions to store the configuration information for the set of components in the network computing system to form stored configuration information; obtain current configuration information from the set of components responsive to a power cycle; compare the current configuration information with the stored configuration information to form a comparison; and update the stored configuration information if a difference is present in the comparison. The reference Pelissier teaches this system by teaching central network manager and its functions. (Fig. 1, col. 2, lines 43-67 and col.3, lines 1-8 and lines 55-67, col. 4, lines 1-44, Fig. 4, lines 46-67 and col. 9, lines 1-58). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to combine Shah with Pelissier such that the system is made applicable to various type of computer networks such as LAN, CAN, MAN, GAN, SAN and many more as indicated by Shah in col. 2, lines 31-55.

**Referring to claims 12 and 13,**

The reference Shah teaches the processing unit the processor unit includes a set of processors or a single processor. (Fig. 4, col. 4, lines 66-67 and col. 5, lines 1-4).

**Referring to claim 14,**

The reference Shah teaches wherein the bus system includes a primary bus and a secondary bus. (Fig. 3).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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ZARNI MAUNG  
PRIMARY EXAMINER